

DATE

Ernest Fruge, M.A, LMSW, C-SSWS  
578 Alden Street  
Lake Charles, Louisiana 70605

Re: **Louisiana Board of Ethics**  
**Docket No. 2021-715**

Dear Mr. Fruge,

The Louisiana Board of Ethics, at its meeting on October 8, 2021, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit you from providing autism spectrum assessments to children.

#### **FACTS PROVIDED**

You are currently employed by the Calcasieu Parish School Board as a school psychologist/social worker in the Department of Pupil Appraisal. As part of your job duties, you conduct evaluations, one of which includes an autism evaluation, for children ages 3 – 21 who are enrolled in Calcasieu Parish schools.

You intend to open a practice, under the direction of a clinical psychiatrist, to provide autism spectrum assessments to children who are not enrolled in Calcasieu Parish schools, such as children in daycare and private school settings. You would provide these services outside of your normal working hours. You would accept referrals from private physicians or other third-party providers, but would not accept any referrals of a student enrolled in Calcasieu Parish schools.

#### **LAW**

La. R.S. 42:1111C(1)(a): No public servant shall receive any thing of economic value for any service, the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the agency of the public servant and in which the public servant has participated.

#### **CONCLUSION**

The Board concluded, and instructed me to inform you, that Section 1111C(1)(a) prohibits you from receiving compensation for autism assessments to any children who are eligible to receive the assessments through Calcasieu Parish schools, since autism assessments are included in the operations of Calcasieu Parish schools, and you have participated in those assessments as part of your job duties. However, you would not be prohibited from

providing assessments to children who are not enrolled in Calcasieu Parish schools, such as children in daycares and private school settings.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

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David M. Bordelon  
For the Board

**DISCLAIMER**  
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics.  
No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.